

REMARKS

Status of the Claims

Claims 1-5, 8 and 11-18 are currently pending in the application. Claims 1-6, 8 and 11-16 stand rejected. The Examiner objects to the Title of the Invention and the Specification. Claims 1-5, 8 and 11-16 have been amended as set forth herein. Claim 6 has been cancelled herein. All amendments and cancellations are made without prejudice or disclaimer. New claims 17 and 18 have been added herein. No new matter has been added by way of the present amendments. Specifically, the amendment to the claims are generally to conform them more closely to US practice. More particularly, the amendment to claim 1 is to insert the sequence identifier SEQ ID NO:12, which is supported by the Sequence Listing. The amendment of claim 8 is to remove the terms "preventive and curative" and replace these with the term "treat." Claims 14 and 16 have been amended herein to recite "inhibit" rather than "combat." New claims 17 and 18 are supported by phrases removed claims 15 and 16. Reconsideration is respectfully requested.

Objections to the Specification

The Examiner objects to the specification for having an incorrect layout. (*See*, Office Action of June 28, 2007, at page 3, hereinafter, "Office Action"). Applicants believe the present specification provides the proper disclosure required of an application under 35 U.S.C. § 371. The Examiner has not cited to any specific flaws of the disclosure or sections that are missing or not presented in a way that one of skill in the art would not find it understandable. Thus, Applicants believe the present specification meets all of the requirements of an application under

35 U.S.C. § 371 unless the Examiner can highlight specific sections that should be re-arranged or altered in some fashion.

Reconsideration and withdrawal of the objection to the specification are respectfully requested.

Objection to the Title of the Invention

The Examiner states that the Title of the Invention is not descriptive. (*See*, Office Action, at page 3). Although Applicants disagree, to expedite prosecution, the Title of the Invention has been amended herein without prejudice or disclaimer to recite, "Peptidic Conjugates For Alopecia Prevention And Treatment." No new matter is entered into the specification by way of this amendment. Applicants believe this Title is descriptive of the disclosed invention.

Reconsideration and withdrawal of the objection to the Title of the Invention are respectfully requested.

Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 1-6, 8 and 11-16 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement. (*See*, Office Action, at pages 4-12). Claim 6 has been cancelled herein without prejudice or disclaimer, thus obviating the rejection of claim 6. Applicants traverse the rejection as to the remaining claims as set forth herein.

The Examiner states that Leshin L. MD indicates that there is no cure at the present time for alopecia and that treatment is aimed at helping hair growth, but cannot stop the spread of hair

loss. (*Id.* at page 6). The Examiner further states that there “is no cure for hair loss caused by alopecia areata.” (*Id.*).

Although Applicants do not agree that the presently claimed invention lacks enablement support, claim 8 has been amended herein without prejudice or disclaimer to remove the terms “preventive and curative” and replace these with the term “treat.” Applicants believe the present specification certainly enables one of skill in the art to “treat” hair loss according to the presently claimed compositions and methods.

That this is true is additionally supported by the Declaration under 37 C.F.R. § 1.132 of Dr. Michel Hocquaux, submitted concurrently herewith. This Declaration provides clear, objective evidence showing that using the presently claimed compositions and methods, the growth of hair is increased.

Further, Applicants point to the results displayed in the present application concerning the growth of mouse *vibrissae*, which demonstrate that the peptide conjugates and methods according to the present invention have an activity affecting hair growth.

Reconsideration and withdrawal of the enablement rejection of claims 1-5, 8 and 11-16 are respectfully requested.

Rejections Under 35 U.S.C. § 101

Claims 1-6, 8 and 11-16 stand rejected under 35 U.S.C. § 101 because the invention is inoperative and therefore lacks utility. (*See*, Office Action, at page 12). Claim 6 has been cancelled herein without prejudice or disclaimer, thus obviating the rejection of claim 6. Applicants traverse the rejection as to the remaining claims as set forth herein.

The Examiner states that the present application is directed to preventive and curative treatment of alopecia and describes a method of combating hair loss. (*Id.* at page 14).

Although Applicants do not agree that the present invention lacks a substantial utility, as already discussed above, claim 8 has been amended herein without prejudice or disclaimer to remove the terms “preventive and curative” and replace these with the term “treat.” Applicants believe the present specification certainly enables one of skill in the art to “treat” hair loss according to the presently claimed compositions and methods.

That this is true is additionally supported by the Declaration under 37 C.F.R. § 1.132 of Dr. Michel Hocquaux, submitted concurrently herewith. This Declaration provides clear, objective evidence showing that using the presently claimed compositions and methods, the growth of hair is increased.

Reconsideration and withdrawal of the rejection of claims 1-5, 8 and 11-16 are respectfully requested.

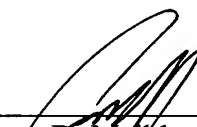
CONCLUSION

If the Examiner has any questions or comments, please contact Thomas J. Siepmann, Ph.D., Registration No 57,374, at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: November 28, 2007

Respectfully submitted,

By 
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Attachments: Declaration under 37 C.F.R. § 1.132 of Dr. Michel Hocquaux (with two attachments)